

**ICANN Transcription
GNSO Next-Gen RDS PDP Working Group
Tuesday, 04 October 2016 at 1600 UTC**

Note: The following is the output of transcribing from an audio recording of GNSO Next-Gen RDS PDP Working Group on the Tuesday, 04 October 2016 at 16:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. Attendance may be also found at:

https://community.icann.org/x/tA_4Aw

The audio is also available at:

<http://audio.icann.org/gnso/gnso-nextgen-rds-04oct16-en.mp3>

Coordinator: The recordings have started. You may now proceed.

Michelle DeSmyter Great. Thanks,. All right, good morning, good afternoon and good evening to everyone. Welcome to the GNSO Next Gen RDS PDP Working Group Call on the 4th of October, 2016 at 16:00 UTC. In the interest of time today, there will be no roll call, as we have quite a few participants.

Attendance will be taken via the Adobe Connect Room. So if you're only on the audio bridge, please let yourself be known now.

Lawrence Olawale-Roberts: This is Lawrence.

Susan Kawaguchi: This is Susan Kawaguchi.

Michelle DeSmyter: Thank you,

And also as a reminder to all participants, please state your name before speaking for transcription purposes, and please keep your phones and microphones on mute when not speaking to avoid any background noises. With this, all I'll turn the call back over to Chuck Gomes.

Chuck Gomes: Hello to everyone and welcome to our meeting today. The first thing I want to ask for is the - whether or not there are any SOI updates. Please raise your hand or speak up if you have an update. While I'm - while we're waiting for that, let me say it was very pleasing to see all the cooperation on the list since our last meeting in discussing the statement of purpose. It's been great. So my compliments and thanks to everyone who jumped in and participated. Much appreciated, and I think that'll greatly help us today.

And I want to thank Marika for giving us I think an almost totally up to date version of the statement with the comments just a little bit ago, so that's fantastic. But if any of you did make comments since she did the latest update, don't hesitate to bring them up on the call.

So that's going to be our main agenda item today. But first let's do a quick update on a few things and let's start with an update in terms of our possible requirements list and the tasks that people have been working on. (Lisa), would you give us an update please?

Lisa Phifer: Sure, Chuck. This is Lisa Phifer for the record. So I'll start with an update of the cutting review. Last - in our last call we sought volunteers to take a look at the map codes that were in draft for the coding columns for the first five charter questions and just verify that they were in fact appropriate for each possible requirement.

I have had since that time four volunteers to work on that task, Fabricio Vayra, Rod Rasmussen, Vicky Sheckler, and also Susan Kawaguchi. We've split up the tables amongst us, and we are actually still seeking one more volunteer to pick up one of those tables and do a code review. All that we're

looking for here is making sure that the mapped codes in fact make sense when you look at the individual possible requirement, and if they don't, to suggest an alternative mapping to either augment or replace that.

Chuck Gomes: So, (Lisa), this is Chuck. While we're on it, let's see if we can - if there's anyone else that would like to join those who volunteered so that we can get this started this week. That would be a good idea. If you're willing to help with this, (Lisa)'s going to work with the group in doing that. I don't think it's a huge task but an important one. And - (Beth), are you volunteering?

(Beth): I am.

Chuck Gomes: Fantastic. Well we've got a small group. Anybody else that wants to, just let us know. And did you want to say anything, (Beth), besides volunteering?

(Beth): No, I just hope I'll do my best.

Chuck Gomes: Yes I'm sure you will. And the group together will be able I think to help each other and get that exercise done. Thank you very much for that. Appreciate that. So I think you have at least three people now. Is that right, (Lisa)?

Lisa Phifer: Actually, Chuck, we have five. So we have...

Chuck Gomes: Oh you have five? I missed a couple, okay.

Lisa Phifer: Yes.

Chuck Gomes: Good.

Lisa Phifer: And we have enough people for one for each table. And we actually did begin this exercise yesterday with a couple of one-on-one calls just to make sure the task was understood. And we're hoping to begin it this week and complete next week.

Chuck Gomes: Thank you for that. And Marika pointed out to me that I skipped over agenda item two in my status update. I went straight to three, which is also as status update. So, Marika, do you want to give us an update on ICANN 57? I don't think there's too much except maybe that the GAC may have a session on what we're doing. But if you could do that, I'd appreciate it.

Marika Konings: Sure, yes. Thank you, Chuck. So this is Marika. So we've submitted all the meeting requests and we are still on track for the working group's face-to-face meeting, which is tentatively scheduled for day one, Thursday 3rd of November from 9 to 1 o'clock. We of course now need to wait the filling out of the complete schedule, but we're quite confident that there are no obvious conflicts for at least that slot.

In addition to that, stakeholder groups or supporting organizations and advisory committees were asked to submit proposals for high interest topics. And one of the topics that has been submitted is an update on all things Whois. And I suspect it may be a continuation of a session that was run a couple of ICANN meetings ago in which an overview was provided of all activities that are ongoing in relation to Whois. So that of course would include as well the work that this working group is doing.

And I believe it is on the short list of topics to be chosen. As I said, they're still working out the final details for the schedule, so it's not clear yet where that session exactly is going to fit. It was a session or topic that has been proposed by the GAC, so it's also the understanding that the GAC will take the lead in organizing and planning that session, but we assume that we'll hear in due time whether that requires this group's participation and if so in what form that would be done.

And under this agenda item, we also previously noted that this status update that has gone out I think by the end of last week, you should all have it in your inbox, it's a regular update we provide on the working group activity that we

hope is useful for your respective groups to follow the working group deliberations and know what the next steps are. This is also an update that is shared with the board working group on this topic also, in view of making sure that they're kept up to date with the working group deliberations and work ahead.

Chuck Gomes: Thanks, Marika. Any questions? Okay. Let's go ahead and go then to item 3b on the agenda. And one of the big, maybe huge, documents for which we still haven't extracted possible requirements from is the final regulation in the EU, 216/679 from 27 April. And Greg Shatan volunteered on that. And Greg has started on that, and he tells me that he's made some pretty good progress. But he would really appreciate some assistance on that.

And so what we'd also like to get some volunteers for is we could get two or three people, or more if there are, that would work with Greg on that. And then staff will, you know, set up a list or do whatever helps the small group finalize that work. Greg's not on the call right now, but he and I have been communicating via e-mail and I know he would welcome some help on that so we can get that wrapped up.

That's a - I believe a really important one, not that they're not all important, but. Do we have two or three volunteers who'd be willing to work with Greg to finish that task? I'm giving you time to think positively about this. And (Beth), that was your other - (Beth), are you - you're volunteering to help Greg as well, is that correct? No, just the coding, okay. I wanted to make sure. I was looking at my chat and I - the timing's not in the chat so I can't - and I don't look at it constantly.

So we really do need a couple people at least to help Greg on this. So I would appreciate it if someone - certainly let's put out a call on the list after this meeting to see if we can get two or three people to help Greg on that. And then - again, like I said, Greg tells me that he's done quite a bit on it so there would be a starting point. And you're not starting from scratch, but

maybe help him wrap it up, maybe double check what he's done and add to it. So note (Lisa)'s comment that any of you that are familiar with the GDPR.

Well - and (Nathalie), you ask a very good question. We don't have a specific due date but I'm hoping that we're within a few weeks of starting our deliberations. And it certainly would be nice to have all the documents, at least the ones that we've already identified, already done with regard to including possible requirements. Now that doesn't mean that we can't - that this has to be done right at the beginning. It'd be nice but it's probably not totally essential. But if we could get it done in the next few weeks that would be great.

Okay. So we'll put out a call on the list and I hope some of you will think about helping on that. This is a huge effort that we're all involved in and if we all contribute everywhere we can and spread the workload out, it'll help us a lot. Okay. So let's then go on to agenda item four, which is our - which will take the bulk of our time today.

And we'll pull up the draft purpose statement that has the comments in it. And we're just going to go through this in order. Slow me down if I go too fast or if I miss something, but we'll start right at the beginning. And (Scott Hollenbeck)'s comment at the top, I think that's been taken care of. I was checking and I'm pretty sure that (Scott)'s comment there was already fixed because I couldn't find it - the references anymore.

Okay. So good. Okay. Good. You can see if you're watching Adobe. Sorry for those who are not. But we can do live editing today which will help us keep this and it'll really keep us - staff challenged to keep up with us. So okay. So going to the second comment. And all - the second one is, is a reference to the fairly large set of comments that Stephanie submitted to the list. So if anybody wants to refer to that, you have that.

Now we're going to be talk about various portions of Stephanie's comments as we go through this. And so I don't think we need to spend any time on that now. Stephanie, of course, if we miss something that you said, you'll have plenty of opportunity during the call to set us straight.

So continuing then with Marc Anderson's comments, and I sent it - some of you may have seen the message I sent to (Mark) on the list just this morning for me, and ask him if he was intending that this statement replace the first four purposes in the last section. And he confirmed that. So I suggest that we come back to that when we get to the last section. We won't make any decision on that now. And thanks, Stephanie, for adding a comment to that, and we'll come back to that as well when we get to the last section.

And then Greg's comment in there, and I think - I don't think there's a particular action item on that, correct me if I'm wrong, Greg, because I see you're on the call, but a good general comment there that I think we can keep in mind as we're completing this task, keeping the statement purposes as succinct as possible. So good. Thanks very much for those comments. Any further kind of introductory comments before we dive right in to the document itself?

Okay, so the first comment is on the title. You can see the title there to the left, Draft Registration Data and Directory Service Statement of Purpose. And Stephanie proposed a change to that, making it Draft Statement of Purpose for the Collection and Use of Registration Data and a Potential Directory Service for the Disclosure of Registration Data.

Now just - comments that just hit the list in the last few minutes before our call, I think Andrew made some comments with regard to the whole idea of collection. So we may want to talk about that a little bit right now. Let me ask Stephanie first of all, did you see Andrew's comments with regard to collection?

Stephanie Perrin: Sorry, Chuck, I'm having so many problems trying to connect via Adobe. I just dialed in. I don't know what's going on with the new system, but I can't chat.
So...

Chuck Gomes: Okay, sorry about that. And you got the new URL for it, right?

Stephanie Perrin: Yes, that appears to be the problem. And not only did I get the new URL, but not only can I not chat and I can't talk but it fades in and out about every two minutes. And that's not my Internet connection. So if anybody can help, this is effectively putting me incommunicado. So your question was did I see Andrew's comments vis-à-vis collection? No, I don't think so.

Chuck Gomes: And Andrew's on the call so I'll ask him to share some of his message.

Stephanie Perrin: Thanks.

Andrew Sullivan: Sure thanks. It's Andrew here - Andrew Sullivan for the transcript. I - my concern, and I do apologize that it's taken me so long to turn to this, but my - I'm a little concerned about the focus on collection here. Because strictly speaking, you may remember that some months ago I sent some diagrams about this, the collection all happens in a different system. It's all happening in the registration system, and everything - the shared registration system, and anything in the RDS comes from some piece of the shared registration system.

So all the collection policies and everything are on the registration side. And the purpose of the RDS as I see it is really just to control access according to various policies set by the manager of the relevant repositories to the data that's already been collected in a system outside. So there's no point in the RDS where you have somebody injecting something new. You only have - it's really only a publication mechanism.

And I'm not sure actually that our charter puts us in a position to talk about policies for shared registration systems. And that's part of the reason that I've raised this. I know that I mentioned it before, but I didn't I guess in response to the discussion over this statement of purpose over the last few weeks, and for that I apologize.

Chuck Gomes: Thank you very much, Andrew. And I see Alan has his hand up so let's let Alan follow up there.

Alan Greenberg: Yes two comments. I'm not quite sure Andrew's use of the term shared registry system since I don't think that's implicit. But the substantive issue he's raising is one I've raised a number of times before that what is collected and specifically collected at the time of registration is somewhat moot. We - anything that we specify must be available, they obviously have to collect. But the same is not true - the converse is not true.

Registrars will typically for instance collect a credit card number, but that's currently not going to be published in the RDS. What they collect for the purposes of running their business is not necessarily our business, it's what they must collect to meet the needs of the RDS and what they will - what they must submit to the RDS are the issues. So I agreed that the word collection is not correct and the focus really needs to be what's in the RDS not what is collected by the registrar. Thank you.

Chuck Gomes: Thank you, Alan. Chuck again. And Stephanie, did that make sense to you in terms of collection?

Stephanie Perrin: Can I -- Stephanie Perrin for the record. I think that part of the problem is the rather complex way that ICANN has organized itself with respect to the collection, use, and disclosure of information. So how the information is mandated to be collected is I would say it's still under ICANN control. And one of the issues is that of course Whois is mandated through the RAA, so is the information over which ICANN asserts control. That is a subset of the

information that a registrar, or a service providers arranged through the registrar, might want to collect for various purposes.

So you've got sets and subsets. As long as something is mandated by ICANN in its accreditation role for registrars with respect to their registration of a domain name, then as far as I'm concerned, it has to be within the mandate of this group. There's no policy issue that we should not be unraveling here because we cannot be short circuited in examining an issue.

So from a data protection perspective, and I apologize because once again I've lost connectivity here to the - it happens about every two minutes. So I can't tell if anybody's trying to interrupt me. That - you can't determine policy for privacy unless you look at the collection instrument. So it has to be considered part of this exercise.

Chuck Gomes: So Stephanie, before I go back to Andrew and Alan, who have their hands up, let me say that I personally don't think that eliminating collection as a purpose for the RDS limits this working group from recommending policies to do with collection. But the RDS itself doesn't do any collection. And that's what I'm understanding, but let me stop and turn it back to Andrew.

Andrew Sullivan: Thanks. It's Andrew Sullivan again. Yes, I think you've expressed succinctly exactly what my concern is that the RDS as such does not collect data. It never collects data. It only provides access, if it provides any access at all, it only provides access to data that has been collected in some other system. And the reason -- you know, I've got my geek hat on here, right -- so the reason that I'm concerned about this that from a systems design point of view we are - we're conflating two really basic functions by talking about collection here.

One of them has to do with how the data gets into the system, and I agree with you, it would be just fine for us to make recommendations for some other policy, group or even for that matter to make recommendations about policy

for something that is outside the RDS with respect to collection. And if we want to introduce language about that, I'm not as such opposed to it. I'm not totally convinced that it's within our remit, although I noticed that somebody posted in the chat an excerpt from the board resolution which makes the same conflation.

I believe that that's unfortunate and I think that we need to separate these two things so that when we talk about the system that provides access, if any, to the data, we don't leave people with the impression that this system actually has anything to say about what data is collection; it can't. That's just a technical limitation on what it can do. Because the protocols that we're talking about, unless we want to invent a completely new protocol, in which case I frankly think you're on your own, the protocols simply do not talk about data collection because they don't have any mechanism by which that can be done.

Stephanie Perrin: Can I jump in here? It's Stephanie again.

Chuck Gomes: Go ahead, Stephanie.

Stephanie Perrin: I agree with you totally. The problem is that the RAA commands registrars to collect registration data. So here's where the problem between the conflation of are we looking at the purpose of registration data and the control of it, or are we looking at the purpose of the mechanism by which we will manage the disclosure of registration data. And those are two different things.

And the problem, once we start conflating them, it transfers that policy, which is very clear in the RAA with respect to what data you have to collect, use, and disclose, that's clear in the RAA. That's not a function of any proposed system of disclosure that we come up with in the let's call it the Whois or the RDS. So we haven't agreed we need an RDS yet. It's - the whole discussion of registration data needs to be addressed prior to determining how any

relevant disclosure mechanism would be developed. That's my view anyway.
Thanks.

Chuck Gomes: Thanks, Stephanie. (Lisa), I see you put your hand down. Are - has what you - did what you wanted to say get covered?

Lisa Phifer: Chuck, thanks. This is Lisa Phifer for the record. I think Stephanie just said precisely what I intended to, which is that the - both the board and the SSAC (unintelligible) were pretty clear in stating that the purpose of the registration data and collection maintenance and providing access to it was the question at hand that needed to be addressed before specific policies regarding a system for access could be progressed further.

Chuck Gomes: Thanks, (Lisa). Alan, you're up again.

Alan Greenberg: Thank you. Alan Greenberg speaking. We're back in the standard ICANN problem of using words in multiple ways and not necessarily defining them particularly carefully. This is called a registration data system because in the wisdom of whoever when we decided Whois was the wrong word, we came up with registration data. What we're looking at is not necessarily the whole sum of the registration data that's collected.

We are trying to specify should we have an RDS system, what information is collected by the RDS from the registrars or registrar or registry, or what information is contributed by them to the RDS. And I don't really think we need to get hung up on the word that is used. But clearly whatever is in the RDS is going to be a subset of whatever is actually collected from the person who's registering a name.

So I think we need to be careful about using words people can easily interpret them differently. I don't think we're talking at odds with each other on what we have to do, but the words can end up getting us into a mess if we're not careful. Thank you.

Chuck Gomes: Thanks, Alan. Andrew?

Andrew Sullivan: Hi, it's Andrew Sullivan again. Sorry to go on. So my understanding is that we've actually shortened the term that SSAC invented. The original thing was registration directory data services - registration data directory service, RDDS, and then we shortened it do RDS. And that little D people keep expanding it as directory and sometimes data, and that may be part of the problem here.

The - I think we've got a more fundamental question about whether we're talking about the directory services, which is only the access to the data and it's really only a publication mechanism, or whether we're talking about all registration data as such, in which case the service is irrelevant, because it's not a service, it's really the registration data policy development process or something like that.

And if that's actually what our - what it is we're supposed to be doing, this is - well I submit that we will never complete because that's an enormous - that's, you know, essentially all of the things related to registration anywhere in any registration of domain names.

So I'm just a little nervous. I'm actually made more nervous by this conversation, because it seems to me that we're at once expanding the scope that at least some of us came to this thinking we were talking about and at the same time, you know, sort of skipping over a pretty fundamental distinction which is made in all of the technical underpinnings of this system, which is that the registration side, the thing that does the collection and the thing that does the publication for the people who didn't actually do the registration, are separate problems, that all of the protocols have a really strong separation between the inbound stuff, which is this shared registration system or some kind of registration system by which you come into the system and you can make registrations and if you are one of the authorized

users of that shared registration system, then you have access to some of the data that's in there, and on the other side, the access to that data for people who are not part of the share registration system as such.

And I - and if we're not going to maintain that distinction for the purposes of policy, then we have an additional serious topic that we need to engage with in here, which is how we're going to map the outcome of the policies on to the underlying protocols that are all set up according to this distinction, which everybody has made since essentially time in memorial. So I'm quite nervous about this because I think that it complicates our job quite a bit.

Chuck Gomes: Thanks, Andrew. Rod, go ahead.

Rod Rasmussen: Rod Rasmussen speaking. So this actually brings my memory to one of the topic areas we covered in the EWG around actually the creation and management of contact data. And actually we proposed a system of what we called validators so that you could create entries that would be put into an RDS which then could be tied to registration of domain names in the future.

So, you know, not only do we have a policy conflation issue, we've actually conflated it in our recommendations around the system. So it's maybe a little bit more complicated than Andrew as sharing because you can - there's a protocol problem that would be a matter of collecting the data and then making that available. The reason - there are lots of reasons for that kind of system.

One was around accuracy. One was around control of new data. One was around things around privacy and identity theft and being able to update your contact information in one place and have that translate to every other domain name that you might be associated with, whether that might be as a registrant or as some other kind of contact. So there is this concept within the system, if you will, of having the ability to create information that is

registration information and then use that information in conjunction with subsequent registration of domain names in a registrar.

And that validator system was the one that describes how that would work, and those validators could of course be registrars but not necessarily sell. So that was a place where we have - we have actually brought together this concept of creating new - creating and updating contact information with the actual RDS system. I'll throw that one out there too for the consideration of this discussion.

Chuck Gomes: Okay. This is Chuck. Thanks, Rod. And I'm going to make a decision and see what kind of support or disagreement I get on the decision. It seems to me that if we make the changes or changes like what Stephanie suggested, it's going to take us down a path where it creates more controversy than help. And my suggestion is that we leave the title as it is. Is there any - if you agree with that, put a green checkmark in the chat. If you strongly disagree, put a red X in the chat. And if you're not in Adobe, you may speak out your answer.

And again, I don't think this title has to be overly restrictive on what we're going to do in the future, so please keep that in mind. Okay? I see some agreement. I haven't heard anybody strongly disagreeing. So rather than spend more time on the title, we're going to talk -- and you can take down your checkmarks now -- and we will go to the next item there.

And that's the very first paragraph, the introductory paragraph. And I'll let you - well for the sake of those that aren't in Adobe, I'll say this statement is intended to define the purpose or purposes of a registration directory services service for a generic top level domain names. The statement is grouped into two categories, overall goals for the statement of purpose and specific purposes. To ensure that the purposes are understood in the appropriate context, a list of prerequisite condition of purposes is also provided.

And Stephanie in her comments, as you can see, pointed out that the way the - several of the things throughout this document are worded it assumes that there will be an RDS. And she suggested a simple addition of potential in the cases where that's the case to make sure we understand we have not yet decided whether there will - there needs to be an RDS. So I think she's accurate on that. So rather than spend a lot of time discussing it, I suggest that we make those edits wherever they're applicable.

If anybody strongly objects to that, again speak up now or we will move on on that. Okay. Let's go then to the next paragraph that says, "Note that it is important to make a distinction between the purposes of individual registration data elements" -- sorry, the screen moved on me here, okay -- "versus the purpose of an RDS, the system that - i.e. the system that may collect" -- there we've got the word collect again -- "maintain and provide or deny access to some or all of those data elements and services related to them, if any. This purpose statement is intended to focus on the purposes of the RDS as a whole, although some overlap may be unavoidable."

Now Stephanie, first of all with regard to your comment, one of your comments, that that last sentence was - I think you read it differently than what it was intended. So I have a suggested edit that may address your concern. And that last sentence it says, "This purpose statement is intended to focus on the purpose of the RDS as a whole, although some overlap of purposes of individual registration data elements may be unavoidable." So the overlap was a purpose for specific elements may be - may overlap with the purpose of the system itself. That's all that was being said there. Does that help address your concern?

Stephanie Perrin: Thanks, Chuck. Stephanie Perrin for the record. I'm not sure that it does because I do believe I've raised this issue before on the purpose of the data elements, which is why I gave an example there, the purpose of credit card data for the registrar is to get paid, the purpose for a law enforcement officer

is to track down either the beneficial user or the victim or the whatever in a cyber-crime investigation.

So the purpose relates to the action, not the element itself. And so when we talk - when we have done all this work on purposes, well what we're really talking about is users and their purposes but not data elements. Do you follow my distinction?

Chuck Gomes: I'm not sure I do. This is Chuck. Let me ask you a question. So you don't think that the purpose of the RDS as a whole - some purpose of the RDS as a whole could ever overlap with the purpose of individual data?

Stephanie Perrin: I think it oversimplifies and therefore clouds the issue on some of the individual purposes. So let's be clear, I define the RDS as a disclosure mechanism, not a repository, not a database, not a whatever, because in that respect we're -- if Andrew's right -- we're conflating where the data is with what we're trying to do. And so what we're trying to do is manage access to information about a domain name registration.

And then of course all these other purposes are I have a purpose, I'm a user and I have a purpose to get my hands on certain data. Okay, so that is an access purpose. In that broad category of access, yes that's covered by the RDS because we're talking about managing access, but that purpose that I might have. Whether I'm a value-added service provider trying to make money, whether I'm someone enforcing trademark, whether I'm speculating on domain names, all of those purposes may be orthogonal to our purpose in managing data. Do you get that?

Chuck Gomes: Okay. So let me suggest a solution here. I don't know that that last sentence talking about the possible overlap is, you know, is essentially to this overall statement. So my suggestion was to delete it. What if we delete this purpose statement is intended? Anybody object to that?

Stephanie Perrin: If I could jump in again, Chuck, that would make me happy. Because my problem with the word "overlap" is it assumes harmonized overlap, you know, like a Venn diagram, it's within. And it's not. It could be antithetical, orthogonal to, therefore it's misleading.

Chuck Gomes: Good okay. So if anybody objects, speak up now or, you know, put a red X in the Adobe. And I better scroll down so I can see if there are any red Xs. I don't see any. So we'll delete that sentence. Now Stephanie, with regard to your first comment here, and I don't know if you're back in Adobe, but anyway...

Stephanie Perrin: Not yet.

Chuck Gomes: ...the add (unintelligible) and disclosure, that would take us right back to what we were talking about in the first paragraph. So I suggest we do not add that because that's going to throw us back - right back into the discussion we just spent 15 minutes on. Any strong objections to leaving it as is?

Stephanie Perrin: I can't really tell from me. I'm busy trying to restart and add new Adobe Connect crap.

Chuck Gomes: Well you had suggested, just like you did in the first paragraph, to add the collection use and disclosure of before individual registration data elements. And that's the same suggestion I think, or very close, to what you said in the first paragraph with - back with it and also with the title. So I think for now let's leave that alone. When you get on list, you can argue differently. If you convince enough people that you're right, we'll do that. Otherwise we'll leave it the same.

All right. So let's go to the next section, which is the overall goals for the statement of purpose. And notice it's goals for the statement of purpose, not goes for an RDS. And a lot of discussion occurred on this. And notice right

now let's see how many - let me look at the latest version from Marika to make sure. So there are six goals, A through F, that are listed right now.

And the very first one is to set unambiguous boundaries for RDS policy requirements and RDS consensus policies. And Greg Aaron suggested we delete that because it's too ambiguous and not very helpful. I think he's probably right. It is not very specific so it is ambiguous and it may not be very helpful.

Now let me remind people when we're talking about the leadership team, drafted the first version of this document, what we tried to do was to capture things that those of you in the working group shared in a working group call we had and on list. Okay? So that doesn't mean we need to keep them. Is this sentence really helpful?

Now we can't really look at this alone because you can see that B, C, and D are all - Stephanie suggests we delete all of those as well. So to establish B is to establish minimum criteria for RDS policy requirements and RDS consensus policies. C is to describe why specifically and explicitly an RDS is needed, see the specific purposes below, and that's in the last section. And then to communicate purposes of the RDS to registrants and others. So.

And then Stephanie also suggested deleting E, which is to establish sufficient relationship between the purposes and uses of the RDS. So let me stop there. We're going to have to look at this kind of in a package I think, or at least most of it. Mark, go ahead and jump in.

Marc Anderson: Thanks, Chuck. This is Marc Anderson. You know, based on, you know, how this conversation is going and, you know, the summary you just provides, can I just throw out there that, you know, maybe, you know, maybe the overall goals for the statement of purpose and for each RDS purpose, you know, were useful for helping to frame the conversation but maybe aren't necessary to be included in the actual statement of purpose itself. So I think, you know,

they did help get things started and were useful when we first started this discussion but maybe they aren't necessary for inclusion in the, you know, in the definition of the statement of purpose that we create. Thank you.

Chuck Gomes: Thanks, (Mark). So I'm going to -- this is Chuck -- let me ask you a question. So what I hear from you is maybe we don't even need this overall goals for this statement of purpose section. Is that what I understood?

Marc Anderson: Yes, that would be a better summary of what I just said. Thank you.

Chuck Gomes: Okay. What do people think about that? Somebody else want to comment on that? If we deleted this whole section, would it reduce value of this statement? (Mark) is right, I think that, you know, we were trying to say okay what are we trying to put together here, so this section is kind of a guide for us in really doing the last section, right, the goals for each RDS purpose. Is there anybody that would object to deleting this whole section? Please either raise your hand or put a red X in there. Let's talk - let's let Steve Metalitz talk.

Steve Metalitz: Yes thank you. This is Steve Metalitz. I don't object to deleting it, but there might be some - as I recall, there were some points that bounced back and forth between overall goals for this statement of purpose and goals for each RDS purpose. So, you know, there was some discussion about where to place these. I'm thinking particularly of point E and - point D and point E and I guess F.

So I think we - I originally proposed some of these as goals for each RDS purpose but they kind of got put into the category above. So I'm not opposed to deleting this whole section, overall goals, but I hope that we'll have a chance to consider in the next section whether any of the things that are in this section ought to be carried forward there as goals for each RDS purpose. Thanks.

Chuck Gomes: Thanks, Steve. This is Chuck. So let's mark D and E at least as possible purposes for the goals section in the last section. So I'm not seeing anybody objecting to removing this section, okay? And so for now we'll say we're going to do that. And Steve points out that D and E might be applicable in the last section. Okay? Anybody else want to - is there anything else we need to capture from this section for possible consideration in the last section?

Okay. Again, now because there are members of our group that aren't on this call, all of this will be put out to the full working group list for people to comment on between now and our next meeting so that it's not as if we're finalizing it all now, although I hope we don't have to retrace our steps too much when we continue to discuss this. Okay?

That then takes us to what I believe is the most important section of this document and that's the goals for each RDS purpose. I said that's the last section; that's actually not the last section, my mistake. I'm getting confused. I've looked at this document several times today and I should know that. So let's go though - and Steve, correct me I've wrong, Steve Metalitz, but I believe I was - so those would be considered in the last section. Am I correct? Did I say that correctly, the section on specific purposes for registration data and registration directory services?

Steve Metalitz: Well no. Actually I think they - I mean I originally brought them forward as criteria we would use when we come up with our list of specific purposes. We could kind of measure whether we had done something constructive by those two criteria. So.

Chuck Gomes: So did you intend them to be goals for the - for each RDS purpose?

Steve Metalitz: Well I would say criteria, but goals would be another way to put that, yes.

Chuck Gomes: Yes I think we had prerequisites there before and we need to change that in the - just for staff's (unintelligible) I note that we - I think we still use in the

introductory paragraph prerequisite conditions. We need to update that second paragraph to correspond to what we end up with. So - but we can take care of that offline.

Okay. Thanks, Steve. So let's look at the goals. There weren't any - and again, these are goals for each RDS purposes. So the things that we put in the last section would achieve one or more of these goals, or would be in line with one of these goals, not necessarily achieve. So on one, two, and three, consistency with ICANN's mission, consistency with other consensus policy that pertain to generic top level domains and consistency with applicable laws, there were no comments in any of those. Is it fair for me to assume that those goals are all okay? (Mark)?

Marc Anderson: Thanks, Chuck. This is (Mark). Just one point. I think F in the section above, to provide a framework that enables contracted parties to comply with applicable law, I think that's - I think the addition of that one sort of makes three, consistency with applicable laws, unnecessary. You know, Steve made a good point. I think the addition of F from last week's conversation was one of the more, you know, valuable contributions from last week. So I think that's a good one to have. And having F in there, you know, I think that kind of makes three unnecessary. Thank you.

Chuck Gomes: So F in the goals section? Because we just eliminated the section, the previous section.

Marc Anderson: Well that was a suggestion but I think Steve made the point that, you know, D, E, and F, you know, if we eliminate the section, those still need to be accounted for somewhere. So maybe replacing goal three, RDS purpose three with F from above, I think that might be a good compromise there.

Chuck Gomes: Anybody object to that? Replacing F in the overall goals, that section we deleted, with three, consistency with applicable laws. I should look at the - I haven't been looking at the chat. Staff or vice chairs, please help me on the

chat if I - I'm trying to keep up with all that we're discussing and I sometimes forget to look at the chat. So okay. Steve Metalitz, go ahead. Are you on mute?

Steve Metalitz: Sorry about that.

Chuck Gomes: That's okay.

Steve Metalitz: I thought there was some discussion on a previous call that compliance with applicable laws might apply to some entities other than the contracted parties. I'm not thinking of an example right now but...

Chuck Gomes: That's a very good point. I think you're right, Steve. This is Chuck.

Steve Metalitz: So maybe we would just say, "To provide a framework that enables compliance with applicable laws," or something like that.

Chuck Gomes: That sounds very constructive to me and a good edit. Anybody have a problem with that? So we delete, "that enables compliance with applicable laws." Okay. I don't see -- let me look at the chat -- okay. Now one of the things that I noted as I went through this several times in the last couple days to prepare for this meeting is we quite often refer to generic top level domains, and it seems to me, and correct me if I'm looking at this incorrectly, but it seems to me that we shouldn't restrict it to generic top level domains. It's generic names, right? It could be second level domains.

In fact, with our existing Whois and with if there is a new RDS, it would really be focusing on second level domains. So should we change all of our top level domain references to just domain names, gTLD domain names, and not say top? Am I missing something there? Because top level domains is a very small, even though they've expanded a lot lately, it's a very small universe there, and directory services really relates primarily to second level domains. So (Mark), you're first.

Marc Anderson: Thanks, Chuck. (Mark) again. I had similar thoughts as I was going through this, and that's why in the purpose statement that I proposed I used the language, you know, "provide access to information about domain names, name servers, and registrar in a TLD." You know, I picked that particular language, you know, with - for that exact reason. You know, I thought that was more fulsome to what we were talking about. You know, information about domain names, names servers, and registrars in a TLD to me seemed to encompass everything. Thank you.

Chuck Gomes: Thanks, (Mark). This is Chuck. Andrew, you're next.

Andrew Sullivan: Hi, it's Andrew Sullivan. So I think that what we're sort of circling here is that the real question here has to do with any domain name to which ICANN consensus policy applies. And so that means, you know, it might be the TLDs themselves, it might be names that are maybe under the TLDs given the contractual agreements of TLD registries, and it is possible, and I gather that there are some cases of this, where the subordinate names beneath that TLD are also covered by those, you know, contractual relationships and consensus policies. So that seems to me to be the direction to go. I don't actually care how we express that. I don't have any feelings about that and I don't have any suggestions. But I think that's the point that you're trying to make.

Chuck Gomes: Thanks, Andrew. I agree. I appreciate that. This is Chuck. Alan, you're up.

Alan Greenberg: Thank you. First of all, the top level there is simply defining what the TL means in gTLD. So I don't think we have the discretion to change the term gTLD at this point. And the way I read it is policies that apply to TLDs, which implied the policies have to do with how second level, third level names are allocated and all of the process, all the things that the GNSO creates policy on. So they are applying to top level domains and implicitly and the stuff that

is hung off of them. So I think the term there is being used completely correctly and consistently. Thank you.

Chuck Gomes: Thanks, Alan. And I thought of that myself and realize that it probably is implicit, but it seems to me that it might be better than to just be implicit to be - to avoid any - too narrow of an interpretation of it. But I'll certainly go with what the group thinks. Go ahead, Alan.

Alan Greenberg: Yes. We can't change the term gTLD. I really don't think we can do that today.

Chuck Gomes: I agree.

Alan Greenberg: So if you think it needs qualification, then we can say, "And all the policies associated with, you know, domain names within a gTLD," but I think that sort of describes what we do. And if we're only talking about the allocation of gTLDs, it's the applicant guidebook we're talking about, and that's just one policy, not - it's not all of the others.

Chuck Gomes: Thanks, Alan. This is Chuck again. So we could probably say generic names. The key, and the reason you're right on we can't change gTLD or completely eliminate the term generic, because we're - we have to make the distinction between ccTLD names, and that is very important and essential in what we do. So the - let's go to Stephanie, see what she can add to this. Stephanie, are you on mute?

Stephanie Perrin: Sorry about that. I'm just trying to experiment with the features that haven't been working. So it finally came on, I don't know why. Thanks. Bye.

Chuck Gomes: Okay. So you're - you just put your hand up to test. Okay. That's fine. So I like (Lisa)'s suggestion in the chat. Any opposition to that? "Pertain to registration data associated with gTLDs." And that I think is consistent with what Andrew was saying in the sense that the policies that ICANN - that the GNSO

develops and that the ICANN board approves related to registration data associated with gTLDs. Okay. All right.

Stephanie, is that a new hand or you just haven't taken it down, or that function is not working for you? If you did want to say something, please speak up.

Stephanie Perrin: No, apparently it's not working anymore. I can't get it down. I've been clicking and clicking. Don't ask me. I don't know what's wrong.

Chuck Gomes: Okay. I just wanted to make sure that I wasn't ignoring...

Stephanie Perrin: I think you're stuck with me sitting there. I'll keep trying but you know.

Chuck Gomes: So okay. So let's go with the language that (Lisa) suggested. Not seeing any objections to that or anybody suggesting anything different. Okay, so where are we? I guess we're now with item four under goals. Helps to clarify articulate - clearly articulate, excuse me, a rationale for the RDS. And I'm going to suggest an edit there to I hope accommodate Stephanie's concern. And there may be a better way to do it.

But Stephanie's comment was that - similar to what you said at the beginning with regard to we don't know whether there'll be a new RDS. So would it be okay, Stephanie, if we said, "Helps to clearly articulate a rationale for an RDS if there is one," or something along that line? Again, there's no intention in this document to assume that we've already made the decision that there will be an RDS. We will get to that point and have to make a recommendation in that regard.

Does that address your concern, Stephanie?

Stephanie Perrin: Not really because the very idea that our purpose is to come up with a rationale for the RDS bothers me. You know? What we ought to be doing is

coming up with a framework for the ethical collection, use and disclosure of personal information and company information according to policy. So that doesn't mean that we need an RDS.

Chuck Gomes: But if we have one.

Stephanie Perrin: Yes, but that's the whole problem. Once you leap to the but if we have one, you know, then why are we bothering? Why don't we just, like we did in the EWG, rather rapidly reach the conclusion that we need a new system and take it from there. I'm not proposing that as an option. I hate it as an option, but, you know. I don't think - the moment you come near coming up with a rationale, it's going to be abused.

Chuck Gomes: Maybe. I guess we have control over that. But let's go to Steve Metalitz. Steve, are you on mute?

Steve Metalitz: Sorry about that.

Chuck Gomes: It's okay.

Steve Metalitz: This is Steve Metalitz. It might just be helpful for Stephanie to clarify her thinking on if we don't have an RDS what would we have. We would have registrars and registries collecting data and then deciding on their own what to disclosure if anything or not disclosing - not allowed to disclose anything to anyone, or would there be an RDS that ICANN did not run but, you know, maybe a government would run.

I'm just not clear what the - I mean an RDS doesn't presuppose what the characteristics of that RDS are going to be. The current system is an RDS. It probably not satisfactory to many people, but if there is going to be a registration data system - if there's not going to be one, I'm just - I'm not understanding what else fills that vacuum, if anything. Thank you.

Chuck Gomes: Stephanie, do you want to respond to that? This is Chuck. You may be on mute, Stephanie, if you're responding. So Stephanie has suggested that we delete four. Let me do my quick polling mechanism again. How many would agree with deleting goal four and how many would be opposed? Use the green checkmark and the red X in Adobe to respond. And Alan, you can go ahead.

Alan Greenberg: Sorry. Assuming we believe, and I understand at this point it may be a leap of faith, that there is some useful or important use of some of the data that we are currently referring to as an RDS or Whois or whatever, then there will be an RDS system or systems or framework or something. I really think we're not using our time effectively debating whether we should simply use the term - what the term RDS means.

In my mind, the RDS is whatever we come out with at the end of this, and it may be a minimalist system, it may be a huge, humongous multi-something system, or it may be a single repository. I obviously have opinions on what it should be, but can we just for the moment assume that the RDS system is what comes out of this whole process and it may be so minimalist it's almost nothing or it may be something very different and not debate on the use of the term. Otherwise I don't know how we frame the rest of the discussion unless we accept, you know, some given of where - what our end target it without specifying the details on it. Thank you.

Chuck Gomes: So, Alan, I'm going to ask a specific question that I already asked the whole group. Would you leave four in or delete it?

Alan Greenberg: I'm happy to leave it in.

Chuck Gomes: Thank you. Okay and I see an X from Andrew, which means he's opposed. I'm going to translate that, Andrew, correct me if I'm wrong, that you're opposed to deleting it.

Alan Greenberg: Or he's opposed to what I said.

Chuck Gomes: I think it went up before you were talking. So he'll correct me if I translated it incorrectly. So anybody for deleting it besides Stephanie? Okay. Stephanie, is that an old hand or are you able to speak now? Okay. Sorry for all the technical problems, Stephanie. I don't know if you can hear me or now, but sorry that you're having the troubles you are. So, well for right now let's leave it and we can revisit that. (Holly), it's your turn.

(Holly): Yes, I think I'm also questioning the addition of "if there is one."

Chuck Gomes: Oh that was just my doing in case - and Stephanie said it doesn't help, so you can ignore that.

(Holly): Thank you. Because I think - along the lines of what Alan was saying...

Chuck Gomes: I was trying to reach a compromise (unintelligible), I failed. Okay.

(Holly): I'm happier just to agree that there will be a rationale or rationales, otherwise what are we doing, I guess is my point.

Chuck Gomes: Yes, okay. And it sounds similar to what Alan was saying. So thanks. Appreciate that, (Holly). Okay. All right.

Any other goals that we want to add? Okay. Let's go to the last section then. And this is I think the really critical section. And there's been some great discussion on this section, so let's start with number one, "A purpose of gTLD registration is to provide information about the lifecycle of a domain name as specified by ICANN's diagram of gTLD lifecycle to enable management of a domain name registration."

There are three comments on this, two from (Rob) and one from (Mark). And the first one had to do with the word "provide" in the first line there. (Rob),

and I don't think (Rob)'s on the call but let me look ahead. No, I don't see him. At least he's not on Adobe. And so the - let me make sure I'm in the right place in chat. Okay.

And notice that (Mark) provided some - a specific suggestion. And I guess one of the things we can do, we can't get (Rob)'s opinion right now but see if (Mark) kind of accommodates what (Rob Golding) was saying in his comments. So two key things here, points I think (Rob) made. The word "provide" and the word "enable" he raised concerns about. And (Mark) suggested first of all to delete the phrase "to enable management of a domain name registration." Okay?

Because it's - it doesn't belong in a purpose statement is what he thought and it deals with a potential use case. So in other words we would - this - number one would say, "A purpose of gTLD registration data is to provide" -- we'll come back to that word -- "information about the lifecycle of a domain name as specified by ICANN's diagram of gTLD lifecycle."

Anybody opposed to deleting that last phrase? And Marika points out that if we go back to four, "helps to clearly articulate a rationale for an RDS," there is a connection there. So Alan, go ahead.

Alan Greenberg: Yes, by deleting it, we end up with saying it's to provide information about the lifecycle. That is it is a read-only, not used data. And in fact some of the data in there, or at least the shadow copy that generated the data, is used to manage the process. Now one could argue that the registrar in deciding when something has to be renewed does not use the value in the RDS but uses the parent copy that created it, but I think that skirts around the issue.

Chuck Gomes: Okay. A question there, Alan. Management of a domain name, obviously registrars do that, right? So that - and they don't need the (unintelligible)...

Alan Greenberg: And the registrant.

Chuck Gomes: Yes, right. Yes that's correct. Good point. (Mark), you want to respond to that? Go ahead.

Marc Anderson: Absolutely, Chuck, thanks. This is (Mark). I guess I should jump in since this is my comment. But my thinking on this, you know, to enable management of a domain name registration, you know, I think that's, you know, a completely valid use case and requirement. And I think that's what we're going to delve into in the next section of this PDP is the requirement. You know, I think the purpose, you know, we talked a lot about in the last two weeks about, you know, our purpose is the purpose, so our purpose of registration data is to provide information about the lifecycle of a domain name. I think that's, you know, absolutely true and a valid purpose statement for RDS.

But the second section, "to enable management of a domain name registration," you know, again I'm not disagreeing with, you know, that statement but I'm disagreeing with its inclusion in a purpose statement. So I think a requirement of RDS or a use case of RDS is enable management of a domain name. And then if we circle back, we say okay the purpose of RDS is to provide information about the lifecycle of a domain name, and then we say okay does this meet the requirement? You know, and I would say yes, this meets the requirement of enabling management of a domain name registration.

So I think I'm trying to draw a little bit of a line here between a purpose statement and sort of the requirements and use cases that we'll discuss in a later section. Thank you.

Chuck Gomes: Okay. And I'm looking at the chat. I think Alan's okay with removing that. So let's go back to the word "provide." Now (Rob) suggested some alternative words and he wasn't really happy with those either. None of them seems to work, in my opinion, but I'm curious if anybody else has an opinion on this.

The alternatives for provide were store, manage, maintain, record, define, and he didn't like those too much better either.

I guess I'm not totally -- I wish (Rob) was on -- I'm not totally clear what's wrong with the word provide. But does anybody have a better suggestion? So for now does anybody think any of those alternative words are better than provide? Okay, so let's leave that alone for now and if somebody comes up with a better idea. Andrew, did you change your mind? Okay, so your hand went down.

Andrew Sullivan: Well I was going -- it's Andrew Sullivan again.

Chuck Gomes: Go ahead.

Andrew Sullivan: It's Andrew Sullivan. I - it's kind of a friendly amendment. I mean we could restate this as "a purpose of." We could say that, you know, "gTLD registration data contains information about the lifecycle of a domain name." And so then it's less a purpose statement and rather a framing construct for what follows. I don't feel strongly about this but it's just a way of getting away from the provide word if that's an irritant for people.

Chuck Gomes: Thanks, Andrew. Of course these are supposed to be purposes. I suppose that changing it to contains, it kind of would still be a purpose. "A purpose of gTLD registration data is to contain," or are you suggesting, "gTLD registration data contains?" Two different types of edits.

Andrew Sullivan: I guess what I'm suggesting is that you make this a framing statement at the top, you know, with a list of purposes thereafter, is the only - and again, this a sort of ill thought suggestion as a friendly amendment. But I don't feel strongly about it. It was just a suggestion.

Chuck Gomes: Okay. I understand. Thanks. This is Chuck. So we could put it as a framing statement, not as a specific purpose. I get you. Anybody want to make that

change? Anybody think we should make that change? Okay, so let's leave it alone for now. We could come back to that. It's a helpful suggestion if there's support for it later on.

Let's see, do we have time to look at number two? Maybe at least to - it's got quite a few comments on it. We may have a hard time - maybe because two's kind of involved, I'm going to skip it for a moment, the reason being I think there's a fairly simple change we can make so that when we get out this - the next version of this we - it'll be in the next version.

Several people suggested that instead of having 3A and B that we have - change them to three and four. And so my suggestion is that we go ahead and do that, just from a structural point of view. So there won't be a 3A and 3B. So there'll just be a three and four, and what's now A will be 3 and what's now B will be four.

Now just in preparation for our next version of this that'll go out after this meeting, I think in the comments under what's now B, there's a fifth purpose that's been added and then there's some rewording for what is now four. So let's make sure that we're clear on that in terms of the next version. And I'm going to ask staff to create a redline version from the version that went out with this. And I'm just - I haven't thought this through so I'll let staff use their best judgment.

But I don't think - well I guess for now just leave the comments in there so people can see how we responded. And we might want to put in there that for now no change was made, like for example in the case of the title or in the case of the one suggestion by (Rob) in purpose number one there, so that people who weren't on the call can see what was decided on the call just to - a little comment in there to respond to the comments that were made so that people know that we did discuss them if they weren't on the call.

I'm - and like (Lisa) says, the meeting notes will capture this. But for the sake of making it real easy, if we can put a note in after the comments, a brief note, just keep it clear, and you can refer them to the notes for more detail. So - and of course let's see, we had a new purpose I think by (Alex), so we should add that. I think that would be number six but let's get (Alex)'s in there too so that next week what we will do on this is we'll pick up on purpose number two and continue from there. And any questions on that, Marika and (Lisa)?

Now next week our call is at the same time, so Tuesday at 16:00 UTC. And we will pick up where we left off. Actually we made I think pretty good progress. Remember that there's opportunity to discuss any of the changes we made. They will show up on the redlines that will be sent out. We can still discuss them, but let's try not to revisit things that have already been discussed fairly well and go from there.

(Lisa), Marika, Susan, anything I've missed? Anything else we need to cover? Okay, well thanks everyone. Good discussion. And keep up the good discussion on the list. We wouldn't have been able to cover near this much today if there hadn't been the participation on the list. So please do that again this week and respond to each other's comments so that we can all have the opportunity to think things through. And then when we go into the meeting next week, hopefully it will make it easier.

And, (Mark), thanks for that comment. Marika, what a great job on the live editing and the comments and keeping the document up to date. Very much appreciated and really facilitated our work today.

So at this time I will adjourn the call and the recording can stop.

Michelle DeSmyter: Again, the meeting has been adjourned for today. Operator, please stop the recordings and disconnect all remaining lines. Everyone enjoy the remainder of your day. Thank you.

END